

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

KRISTY CACHIA, as Personal  
Representative for the Estate of  
MATTHEW DOUGLASS, Deceased,

Plaintiff,

v

MICHIGAN CAT, an Assumed Name  
for MACALLISTER MACHINERY  
CO., INC., an Indiana Corporation,  
MACALLISTER RENTALS d/b/a  
MACALLISTER MACHINERY CO.,  
INC., an Indiana Corporation, and  
AK STEEL CORPORATION, a  
Delaware Corporation,

Defendants.

Case No. 17-cv-13043  
Hon. George Caram Steeh  
Mag. Judge David A. Grand

---

GEOFFREY N. FIEGER (P30441)  
KEVIN C. RIDDLE (P57435)  
JAMES HARRINGTON (P65351)  
Fieger, Fieger, Kenney & Harrington,  
P.C.  
Attorney for Plaintiff  
9390 West 10 Mile Road  
Southfield, Michigan 48075  
(248) 355-5555  
Fax: (248) 355-5148  
[k.riddle@fiegerlaw.com](mailto:k.riddle@fiegerlaw.com)

MARK J. ZAUSMER (P31721)  
CAMERON GETTO (57300)  
Zausmer, August & Caldwell, P.C.  
Attorneys for Defendant AK Steel  
32255 Northwestern Highway, Suite 225  
Farmington Hills, MI 48334  
(248) 851-4111  
[ajohnson@zacfirm.com](mailto:ajohnson@zacfirm.com)

ANTHONY J. KOSTELLO (P57199)  
Vandever Garzia  
Attorney for Def McCallister & MI CAT  
840 W. Long Lake Rd., Ste. 600

Troy, MI 48098  
(248) 312-2800  
Fax: (248) 879-0042  
[akostello@vgpclaw.com](mailto:akostello@vgpclaw.com)

---

/

**ORDER GRANTING PLAINTIFF'S MOTION TO APPROVE WRONGFUL  
DEATH SETTLEMENT, COSTS AND ATTORNEY FEES AND  
AUTHORITY TO DISTRIBUTE PROCEEDS**

This matter having come before the Court on Plaintiff's Motion For Approval of Settlement, Attorneys Fees and Costs, and the Court being otherwise fully advised in the premises;

IT IS HEREBY ORDERED that the Plaintiff's Motion to Approve Wrongful Death Settlement, Attorneys Fees and Costs and Authority To Distribute Proceeds, is granted, as it is in the best interest of the Estate.

IT IS FURTHER ORDERED that the settlement proceeds of One Million Dollars and 00/100 (\$1,000,000.00) Dollars, be distributed as follows:

- a. \$90,046.86 payable to Fieger, Fieger, Kenney and Harrington, P.C.,  
said sum representing reimbursement for attorney costs expended in  
this matter<sup>1</sup>;
- b. \$303,317.72 payable to Fieger, Fieger, Kenney and Harrington, P.C.,  
said sum representing attorney fees payable pursuant to the

---

1

The costs posted represents an additional \$20,000.00 which will be held for future costs and distributed to Kristy Cachia after 30 days on a 2/3 to client, 1/3 to Fieger Firm to account for attorney fees and costs not received. The 2/3 will be distributed to Kristy Cachia, only.

contingency fee and agreement between Fieger, Fieger, Kenney and Harrington, P.C. and Plaintiff.

- c. \$5,000 payable to the Law Offices of Howard Linden for their portion of attorney work done for the probate estate;
- d. The balance of the net proceeds of \$601,635.42 will be distributed, as follows:

i.	Kristy Cachia	\$441,635.42
ii.	Abriella Douglass	\$30,000.00 (structured settlement)
iii.	Sydney Douglass	\$30,000.00 (structured settlement)
iv.	Nicholas Douglass	\$30,000.00
v.	Robert Williamson	\$30,000.00
vi.	Marc Douglass	\$10,000.00
vii.	Judy Douglass	\$10,000.00
viii.	Carla Douglass	\$10,000.00
ix.	Jonathan Douglass	\$10,000.00

IT IS FURTHER ORDERED ORDERED that Employers Mutual Casualty Company pay the following amounts:

Future periodic payments in the following amounts and on the following dates:

To: Abriella Douglass

\$9,791.87 payable annually, guaranteed for 4 years, beginning on 07/01/2029, with the last guaranteed payment on 07/01/2032.

To: Sydney Douglass

\$7,975.17 payable annually, guaranteed for 4 years, beginning on 05/08/2023, with the last guaranteed payment on 05/08/2026.

It is understood that Insurer may enter into a qualified assignment under Section 130 of the Internal Revenue Code with Pacific Life & Annuity Services, Inc. (the assignee) of these future periodic payment obligations, for a consideration of \$60,000.00. If such an assignment is made, the Assignee shall fund its obligation for such periodic payments by the purchase of an annuity contract from Pacific Life Insurance Company, rated A+ XV by AM Best, and in accordance with the terms of said assignment, the Assignee shall be substituted as obligor of such payments for Insurer, who shall be released from any further obligation to make said future periodic payments. The beneficiary for any minor payee shall be her estate. Upon reaching the age of majority, the payee may request a change in beneficiary in writing and delivered to the assignee. No such designation, nor any subsequent request for change of beneficiary shall be effective unless it is in writing and delivered to Assignee.

IT IS FURTHER ORDERED that the Guardian Ad Litem fees in the amount of \$1,600.00 are hereby approved.

Plaintiff requests that no monies be awarded to the Estate on account of conscious pain and suffering.

All funeral and burial costs have been paid.

IT IS SO ORDERED.

This is the final Order and closes the case.

s/George Caram Steeh

U.S. DISTRICT JUDGE

Dated: October 31, 2019